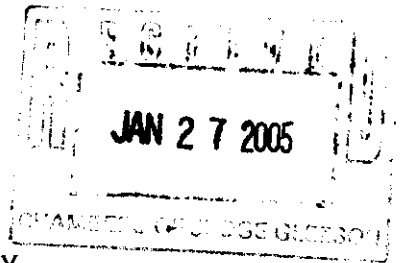


UNITED STATES PRETRIAL SERVICES AGENCY
Eastern District of New York
Confidential

MEMORANDUM

FILED

IN CLERK'S OFFICE
U.S. DISTRICT COURT E.D.N.Y.



DATE: January 27, 2005
TO: Honorable John Gleeson
U.S. District Court Judge
RE: Davidson, David
Docket No.: 02- CR- 681
Request for Bail Modification

★ FEB 4 2005 ★

BROOKLYN OFFICE

The above noted defendant, who is awaiting sentencing before Your Honor on Securities Fraud charges, was released on July 30, 2002, on a \$500,000 co-signed and secured bond with the following conditions: 1) report to Pretrial Services by telephone one time weekly, 2) travel restricted to New York and Florida (permitted to travel to other states for work with Pretrial Services approval), and 3) surrender passport and do not reapply. The defendant lives in Boca Raton, Florida and reports by telephone to the Brooklyn Pretrial Services office on a weekly basis. Although the defendant admitted a history of mental health issues at the time of his initial bail interview, mental health treatment, as directed by Pretrial Services was not ordered as a condition of his release.

We are writing to Your Honor to request the removal of Pretrial Services supervision. The defendant appears to be in compliance with his release conditions, has been reporting as required since his release approximately 30 months ago and is cooperating with FBI agents in Florida.

Pretrial Services spoke with AUSA David Pitofsky on January 10, 2005, regarding our recommendation to Your Honor and he advised that he did not object to the removal of Pretrial Services supervision but raised some concern about the defendant's mental health history. Pretrial Services spoke with the defendant's attorney, Mr. Martin Russo on January 26, 2005, and he had no objection to our recommendation to Your Honor.

On January 26, 2005, Pretrial Services contacted the defendant's psychiatrist, Dr. Warren King and we spoke about the defendant's mental health history. He indicated that the defendant is Bi-polar and suffers from Attention Deficit Disorder (ADD). Dr. King informed that the defendant is a "hyper guy" but is stable, responsible and is not suicidal. The defendant's psychiatrist reported that the defendant suffers from some depression and anxiety but these issues are regulated by medication and psychotherapy. He estimated that he has treated the defendant for approximately 5 years and last met with the defendant on Monday, January 24, 2005.


Based upon the above noted information, Pretrial Services recommends that Your Honor remove the defendant's condition for Pretrial Services supervision. If Your Honor agrees, I have attached an order for your convenience. Please feel free to contact me at (718) 260-2498, should you have any questions.

Prepared by:


Jeffrey Thomas Steimel

U.S. Pretrial Services Officer

Approved by:


Taia Givens

Supervising Pretrial Services Officer

CC: David Pitofsky, AUSA
Martin Russo, Atty

Davidson, David
Docket No.: 02- CR-681

It is the Order of the Court that:

X the defendant's Pretrial Services supervision be eliminated.

_____ no change.

_____ other:

Considered and ordered this

28th day of January, 2005
and ordered filed and made a part
of the records in the above case.

s/John Gleeson

Honorable John Gleeson
U.S. District Court Judge